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REPLY UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1743

PATENT
0425-0825P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kazuhiro KANEKO et al. Conf.: 6946
Appl. No.: 09/786,060 Group: 1743
Filed: March 1, 2001 Examiner: COLE, M.T.
For: EVALUATION METHOD AND PREPARATION
PROCESS OF INJECTION CONTAINING A LIPID
A ANALOG

INTERVIEW SUMMARY

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 27, 2004

Sir:

The following is a summary of an Interview conducted on October 26, 2004 with the Supervisor of the Examiner (i.e., Jill Warden) in connection with the above-identified application.

The gist of the Interview was what claims would issue upon publication of the Patent. At issue was whether claims 1 and 3-12 should issue or whether claims 1 and 3-23 should issue. The following facts are relevant to this issue.

- 1) On January 16, 2004, a response was filed with the US Patent and Trademark Office wherein claims 1 and 3-12 were pending.
- 2) On March 2, 2004, a Supplemental Reply was filed wherein claims 13-23 were added. Applicants, in that reply noted that the added claims (i.e., claims 13-23) were only minor modifications of the claims that were currently pending (i.e., claims 1 and 3-12) and would not require further search by the Examiner. See page 23, lines 13-16 of the March 2, 2004 reply.
- 3) On July 28, 2004, a Response to Rule 312 communication was sent from the US Patent and Trademark Office (signed by Jill Warden) indicating that the Supplemental Reply filed March 2, 2004 would be entered.
- 4) On July 28, 2004, a Notice of Allowability was sent by the US Patent and Trademark Office indicating that claims 1 and 3-12 would be allowed. This Notice of Allowability indicated that it was responding to the response that was filed on January 16, 2004.
- 5) On July 28, 2004, a Supplemental Notice of Allowability was also issued indicating that claims 1 and 3-23 would be allowed. This Supplemental Notice of Allowability indicated that it was responding to the response filed March 2, 2004.

- 6) On September 29, 2004 another Notice of Allowability was sent indicating that claims 1 and 3-12 would be allowed. This Notice of Allowability indicated that this was in response to the reply filed January 16, 2004.
- 7) On October 26, 2004, Applicant's representative had a telephonic Interview with the Examiner's supervisor (i.e., SPE Jill Warden) regarding what claims should issue.

In the interview, SPE Jill Warden indicated that claims 1 and 3-23 would issue in the patent when published. SPE Jill Warden also indicated that an Interview Summary would be put in the file (and sent to Applicant's representative) indicating that claims 1 and 3-23 should issue in the patent. Further, Jill Warden indicated that Applicants should pay the issue fee on or before the three month date of October 28, 2004 as the Supplemental Notice of Allowability with a date of July 28, 2004 was the controlling Notice of Allowability. This Interview Summary is Applicants' representative's (i.e., T. Benjamin Schroeder (Reg. No. 50,990)) version of the Substance of the Interview.

If any questions remain regarding the above matters, please contact the undersigned in the Washington metropolitan area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or

credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 
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